# WALSH TELLS **STORY IN COURT**

Lifted to Stand to Testify Against Sweeney's Emissary.

TELLS OF HIS VISITS

Hartigan Came From Inspector With Money for Fox, He Says.

SAW THE BILLS COUNTED

Captain's Wife Corroborates Story-Defendant Charged With Perjury.

Capt. Thomas W. Walsh, confessed police grafter, testified at the trial of the Supreme Court yesterday afternoon. Dr. W. H. Upton and a court officer chair. His appearance was that of a very sick man.

Capt. Walsh repeated the story he already had told District Attorney Whitman and the Grand Jury concerning recital under cross-examination. His voice was not strong enough to carry further than the nearest jurors, and his replies were read by the stenographer. Altogether he was on the stand thirtysix minutes. District Attorney Whitman conducted the examination in person.

The captain said that Inspector Sweeney came to his apartment, 1958 Madison avenue, on the night of December 29 last. The following day, he said, Hartigan came to his bedside, as arranged the night before.

"He came to my room with an envelope containing \$800," Capt. Walsh said. "There were eight \$100 bills. I opened the envelope and counted the bills in his presence and added \$150 to it. I asked my wife to get this \$150 for Then I asked her for another envelope and put the \$950 in that, sealed it and gave it to Hartigan. I told him to be sure and count the money when he gave it to Fox and to have Fox count 1 told him I trusted him, but wanted to be sure that the money

"Had you sent for Hartigan?" Mr. Whitman asked. "No: the inspector [Sweeney] sent

On February 7, the day that Hartivan and Mrs. Walsh appeared before Justice Goff in the John Doe hearing, Capt. Walsh said that Hartigan came to his home after the hearing.

"He came in and started to cry," the witness said, "and made a lot of noise, to quiet him.

ing \$800. 'Well, didn't you?' I asked vesterday for bribery. 'Yes,' he said, 'but I didn't know there was money in it. I didn't bring money to your house at all.' said. You did and you know you did.

"Have you taken any drugs to-day?" was the first question asked of the caplawyer, on cross-examination. No," was the answer.

finger at him and say. 'He is was your fault and if you had done policeman named will have been arhim any wrong you would right it?" rested.

"I may have said that." Walsh admitted that he had a summer knowing George A. Sipp. but the court, about 14. stopped further review of Walsh's con-

of Walsh's examination at Police Headquarters, when the captain, not under oath, is said to have denied his grafting operations to which he later confessed. The court ruled out questions on this The witness was permitted to answer "Yes" to a question asking if had pleaded guilty to a charge of last night, on Monday

"Did you receive any promise of immunity for pleading guilty?"

"I am a very sick man and I wanted to get all this off my shoulders." Capt. Walsh replied. "I received no promise of immunity.

Walsh admitted having sent Hartigan the penitentiary. on errands at various times, one of them an errand to "Lloyd" about bail for Fox; again to a bank; and again to Fox's wife when Fox was in the Tombs, to tell Mrs. Fox that everything was being done for her husband that could be done.

stand. She wore a fur coat and a purple husband's story of Sweeney's visit on the night of December 29, and Harti-

gan's subsequent visit. Mrs. Walsh was not moved from her story at all by cross-examination, but fendant's counsel a reply which was entirely unexpected. She said she did not advance of the raid. see Hartigan at her house on the night of December 29.

"How long did the defendant remain in the room with your husband after you left the room on the morning of Decem. Relatives of Carpet Man Seck Com. Sentence Reserved in Case of Pubber 30?" brought out one of the sur-

"Not more than a few minutes, perhaps ten minutes. Hartigan said that the inspector had told him to hurry."

She was sure Hartigan had not said leged by his relatives, he was income that her statement before Justice Goff herause of a stroke of paralysis, was the had not said leged by his relatives, he was income that had not said leged by his relatives, he was income that had not said leged by his relatives, he was income that had not said leged by his relatives, he was income that had not said leged by his relatives, he was income that had not said leged by his relatives, he was income that had not said leged by his relatives, he was income that her statement before Justice Goff herause of a stroke of paralysis, was the latter than the statement before Justice Goff herause of a stroke of paralysis, was the latter than the leged by his relatives, he was income that her statement before Justice Goff herause of a stroke of paralysis, was the latter than the l other errands done by Hartigan, she Bischoff and a jury yesterday in proceedreplied. "Yes, he sometimes came over on errands for the inspector." She laughed when asked if on one occasion property appointed. Hartigan had not been sent for to es-

referred to the defendant as "Johnny" and that her husband called him "John." This is explained by the fact that Capt, Walsh and his wife have been friendly with the young policeman. and even now Mrs. Walsh, although appearing against him, has urged Mr. Whitman to ask for a suspended senence in case of conviction.

Hartigan's wife and young boy were n the corridor while the trial was in progress. Aifred J. Talley, Sweeney's counsel, sat at one side of the court com all through the session. Sweeney himself was not present.

A jury was obtained in an hour and a half yesterday morning. Alfred W. Bruce, a mechanical engineer, of 487 West 137th street was the foreman. Only twenty-six of the special panel of 150 talesmen were examined.

The case against Hartigan, as outlined by Assistant District Attorney John K. Clark in his opening for the State, hinges on whether Hartigan committed perjury in swearing before the unto the court said he: Grand Jury on February 17 that he had not taken \$800 to Capt. Walsh from Inspector Sweeney on the morning of December 30.

When Hartigan was called before the he admitted taking the money from tears will not avail." Capt. Walsh to Policeman Fox and finally delivering it to Fox, a brother, James Fox, in a saloon near the Crim-Walsh.

Mr. Clark said that there is no implication that Hartigan participated in Policeman John J. Hartigan before Jus- the collection of graft and that the tice Seabury in the Criminal Branch of charge against him is solely that "in order to sustain his chief when attacked and in order to stand by what has colloquially come to be known as 'the syspractically lifted him into the witness tem.' Hartigan was willing to commit wilful and deliberate perfury."

Alfred H. Bond, secretary of the extraordinary Grand Jury before which Hartigan is alleged to have committed perjury, first identified the minutes of the Grand Jury. Mr. Donnelly moved Hartigan and was not swerved from his to strike out these minutes on the ground that an insufficient number of jurymen had gone to Capt. Walsh's home to make the proceeding regular. Mr. Bond, recalled, said that seventeen of the jurymen had listened to Capt. Walsh on that occasion. On this early examination Capt. Walsh had testified that he understood the money which was raised was intended to bribe Sipp to stay out of town and that he talked the matter over with Inspector Sweeney.

Mina Michel, a nurse, who has been attending Capt. Walsh for the last ten weeks, testified to Hartigan's visit to Walsh on February 7 and to hearing Hartigan tell Walsh of Mrs. Walsh's testimony before Justice Goff. She said that Hartigan "cried so loud that the people upstairs and downstairs ham-

Mr. Whitman rested the people's case at 5 o'clock. The defence will open this morning. Mr. Donnelly said last night that Hartigan would take the stand in his own defence and that there would be three or four other witnesses, including, "maybe," Inspector Sweeney, The jury was locked up at the Murray Hill Hotel for the night. expected that the case will go to the jury this afternoon.

### POLICEMAN HEANEY HELD.

for Bribery on Testimony of Roste Hertz.

Policeman Thomas J. Heaney, formerly was very sick that day and tried Inspector Cornelius G. Hayes in the a plain clothes man on the staff of Hartigan said that Mrs. Walsh had First and in the Fourth Inspection disgone down and told the District Attor- tricts, was arrested yesterday afternoon ney that he had brought an envelope on a bench warrant issued on an infrom Inspector Sweeney to me contain- dictment found by the Grand Jury

Heaney was accused, with another I policeman formerly on the inspector's rats elderly and young, and female staff in the First district, by Rosie rats most chaste and pure, bad rats who Hertz, who said that she had paid pro- should be hung. Grandpopper rats with tection money to them for her resorts whiskers white, respectable and long, tain by James A. Donnelly, Hartigan's at 218 East Ninth street and 7 First

street in the summer of 1911. The policeman was arrested at the When Hartigan came to see you on Morrisania police station, where he has and those whose minds with vice are of Assinippi. 7 didn't Mrs. Walsh point her been doing duty as a uniformed patrol-Detective A. Thomas of the sticking I man. by "Mrs. Walsh made District Attorney's staff. He was taken no such statement," was the reply to the Tombs and will be arraigned be"Didn't you remark to your wife that fore Justice Scabury this morning. By all the trouble this young man was in that time it is expected that the other

Heaney was a first grade detective Hartigan's lawyer then tried to go at Headquarters for a number of years. into Walsh's financial affairs. Capt. He lives at 1966 Grant avenue, The Bronx, is married and has eight chilhome at Teaneck, N. J., and admitted dren, the oldest of whom is a girl of

Mr. Donnelly then called for a record Hertz, and by two or three women wit- grieved, we hope, for we've not once it It was understood last night that Mrs. Hertz and other witnesses Tombs in connection with the killing of lector of graft. This material will be presented to the Grand Jury, it was said

Mrs. Hertz was before a General Sesslons Grand Jury yesterday, along with her husband, her brother, David Rosenand Isadore Steinbach, said to have been associated with her in business. Steinbach is now in the Tombs this under an eighteen months sentence to

Edwin Johnson, a negro, who has a resort on West Thirty-ninth street, was nother Grand Jury witness yesterday in connection with the inquiry into con-

ditions in the old Tenderloin. The East Side witnesses went into detalls regarding a system of tipping off ralds which they said was in operation feathered hat. She corroborated her protection money regularly and which revented the raids from developing vidence against the proprietor. Steinbach is said to have told the

District Attorney that he acted as a distributing point for this information, reon two occasions at least gave the de- celving it direct from the police and passing it along to those interested in

mittee for His Property.

Herman N. Walter, a carpet manufacturer worth more than \$1,000,000, who was married to his housekeeper, Anna Kuthe, two months are when it is all lisher, guilty of criminally libelling Di-Kuthe, two months ago, when, it is al-Pressed with regard to called before Supreme Court Justice

The court conducted a test of the aged during which time exceptions will not be sometiments south in the course of which he filed. The trial was to have sta when he arrived that it was not necessary, that inspector Dick Walsh would accompany her. This, she said, was brought only guttural sounds from Walter, untrue. She said she got the \$150 from knew the nature of the proceedings. when he arrived that it was not neces-

### HEAR NOW THE TALE OF COUNTLESS RATS

That Were Turned Loose in Louis's Flats. Wherein Was

LACK OF WARLIKE CATS

J. Hogg, He Turns Upon His Foe and Is in Turn Himself Laid Low.

Then up spake Louis Lowenstein.

"This man James Hogg's a foe of

mine and punished he must be.' "Cheer up, my man," the court then day. said, "and tell your doleful tale. Your Grand Jury, according to the minutes, dismal mien won't bow my head, mere

"Well, Judge, your honor, this man here [he indicated James] has made me inal Courts Building, but denied having shed full many a tear, and call the prought any money from Sweeney to whole world names. A year ago we had a fight, a tiff, a spat, a row, and argued all the day and night until at last as now we went before a court of law and there my counsel won by using all his legal jaw and James Hogg was undone.

> But who is Hogg? Ah, reader, dear, bethink yourself, reflect, a rateatcher without a peer, rattrapper circumspect. He catches rats most anywhere. beguiles them from their holes; love his simple, kindly air with all their ratlike souls. They follow him at work and play, they'd follow in their sleep. He is the shepherd they obey, for they are all his sheep. And Lowenstein? He is the one who takes the best of care and sees to it that all is done, from heating to fresh air, for those who dwell in Clearmount Court—the number's 5-4-9-and if that place you've ever sought you'll find it in a line of tary of the Treasury McAdoo. houses on West 1-1-3. It's quite a pleasant place and all the things that here you see writ down with matchless lectorship of the Port of New York. grace came out in Harlem Court most drear. The Magistrate was House bewith the carouse.

dusky glow who does not hate his gin, went round to see that all was well in feeding on moth balls.

him as though the room with ghost eyes was alight. From out of every crevice gleamed red eyes, most fright ful red-worse than Adolphus ever dreamed. The wool stood on his head! He could not shout, but he could run. Adolphus G. McGlinn, and if one covered all THE SUN one could not then begin to tell how very fast he ran and turned from black to white, this poor affrighted colored man-it was a fearful sight.

"It's rats!" shricked Adolph as he hit the marble corridor, "Mah. Lawd!" said Andrew Jackson Pitt, and he was seen no more.

"Rats!" ululated Mrs. Jones. who'd just come from the park. "Rats!" said her son in happy tones. "Oh, gee, ain't this a lark!

But Mrs. Jones had fled in haste, as had Theresa Bunn, not stopping on her way to baste her disrespectful son.

And it was rats, you may be sure and sportive rats that sing at night a officers to-night regarding the inquiry the same reason, must be vigorously shocking, ribald song. Rats with a pur-pose in their life who lead Y. R. C. A.'s miral Joseph G. Eaton, U. S. N., retired, latter malady is endemic in the South

rife-one must not sing their praise And where they came from no one reau scared Miss Bunn simply refused ran into the Squiggs's flat and-what a tale is here! -upon the scene the miral's stomach.

Squiggs's cat gazed from the chandelier. There came strong men to kill those rats, they had a busy time; with task, feet and fist they purged these flats. and if you find this rhyme repeated that."

And then did Louis Lowenstein beand then did bouls howenstell the that the police were making inquiries at pital. At the Panama end there are

like a mink " (It really should be "like a fox," but one sits round and knocks it really ment. Until that time I can say

might be worse.) He thought, the superintendent man, utmost importance." of that old row of his. "It is James ! Hogg, no other can be guilty of all

Forthwith he hied him to the court and there set forth his case. They gave him papers and he brought James Hogg unto the place. And there did ouis weep and wail, as has been told before, and there did Hogg turn deadly

pale and look upon the floor. The Magistrate harked to the tale and hid a ghostly smile, then thundered out so Hogg did quall: for a while to keep the peace and kee your rats out of the Clearmount Court Next case is that of Simon Slats, who did his wife assault."

The moral of this poem is clear, if morals are your pets. Hark then and bend a listening ear to these profound

### WALTER'S SANITY PUT TO TEST, GUILTY OF LIBELLING RUSSELL.

lisher Sued by Director.

Boston, March 14.-By direction of rector Henry Russell of the Boston Opera

Kahn was placed on trial this m t charging that he had in an d "The Dr. Cook of Grand article entitled Opera" accused Russell of immoral conreserved by Judge Brown for twenty days, the bureau drawer when her husband sked for it.

Lavelle objected to the bill because of the bureau drawer when her husband lasted for it.

Lavelle objected to the bill because of the nature of the proceed, the nature of the contents and asked ings until Monday in order to take the lattice Brown did. post. He is not being recalled.

### PASTORS TO PREACH "CLEAN UP."

Central Committee Lays Plans fo

Campaign Against Dirt. "Put screens over your doors and windows and keep out your neighbor's flies; clean up!" is one of the texts that every clergyman in the city will be asked to preach on during the Mayor's spring house cleaning, which starts April 1. Yester-day the central committee at its first meeting determined upon the details of organization organization.

Sub-committees in each borough with the President of the Borough as chairman will direct local organizations and have for members one representative for each branch of the campaign, spitting, flies, store cleaning, babies' welfare, streets, &c. Numbers of trade and local neighborhood associations have pledged

support.
The organizing will extend down to committees for each block. Housewives will be warned twenty-four hours before the visit of the special contractors.

"There is no reason why New York should not be as systematically clean as Berlin or other foreign cities," said one identified with the movement yester-

Dr. McMillan has got many for a "clean up" button. They are two and a half inches across and varied for the women and the men. No loyal citizen will be without one, according to the Mayor. Other cities have applied the Mayor. Other cities have applied for literature on the plan and it is possible that a nation wide cleaning will follow New York's lead.

Present yesterday were Walter Laid-law of the Federation of Churches, Gar-ret Smith of the Babies Welfare Asso-ciation, Charles E. Reede of the North Side Board of Trade, James Jenkins, Jr., of the tubercules computers of the tuberculosis committee of the Brooklyn Bureau of Charities, Mrs. J. D. Heath, head of the Housewives League, and Dr. S. Josephine Baker. With Dr. Marion McMillan as chairman

and the heads of the various city de-partments cooperating, this committee will direct the six weeks work of cleanup.

### PEABODY MAY BE COLLECTOR.

if Not, Then He May Get Diplo- Dr. O'Connell Says Uncle Sam

WASHINGTON, March 14.-George Foster Peabody, the New York banker, had a conference with President Wilson today. He was accompanied by Secreport immediately spread that Mr. Pea body was being urged to accept the Col-

Several developments indicated that Mr. Wilson had the banker in mind for fore whom Louis did appear. Now on this post. It is known that the Presiwishes to get a business man of chanced a day or two ago high standing for the office. There is Adolphus G. McGlinn, a hallboy of a little doubt that Mr. Peabody will receive the offer of an important place under the present Administration.

It is understood to-night that Presi-But in the deep and cavelike gloom dent Wilson will offer to appoint Dudley he saw an awful sight. It seemed to Field Malone, Senator O'Gorman's sonin-law, as Assistant United States Attorney for Customs in New York. The post pays \$8,000 a year.

> was secretary of the Democratic National Committee. Ex-Gov. Burke of South Dakota is scheduled as Treasurer of the United States

# **HUNT FOR POISON** IN EATON CASE

District Attorney Admits Search of Drug Stores for Evidence.

Boston, March 14.—Strict stience is maintained by the State and county of transmission, and yellow fever for

county and George W. Kelley of Rockknew and not a soul could tell; they land, attorney for the Admiral's widow, fection. bit a Peke pug named Chew Chew and had a long conference in Brockton to-Willy Jones as well. From off the bu- night. This is considered significant in almost ideal for the establishment of lew of the fact that Dr. William F. such a quarantine as I have suggested to move; they served her lunch upon Whitney, Harvard medical school ex- It will take twelve hours for a the run, as Adolph G. can prove. One pert, is said to have made a report to to make the voyage from one end of the Mr. Barker on his analysis of the Ad- waterway to the other. These twelve

whether or not he had completed the necessary without undue interference to see District Attorney Barker about boarding station should be established at

grieved, we hope, for we've not once talk they went off in an automobile. The them to accompany on the trip such rhymed love and dove in all this poetry belief was that they were bound for

cried, "a thought is mine; I'm clever certain Boston drug stores for evidence groups of islands, and two islands, in the case. He added:

when you're writing verse and every the time comes I shall make a state- pavilions and contagious disease hosmore than this, that the case is of the

There has been no search of drug stores in Brockton, but I will say that United States Public Health Service. in Boston officers are making inquiries in certain drug stores as to sales of certain polsons within the past few weeks." The search for evidence in Boston drug stores is being made by State Offi-

cer Scott. Deputy Sheriff Condon and a Mrs. Eaton, the widow, is ill at her some and is much agitated. Her illness indirectly stimulate sanitary activity is supposed to be due to the visits of the police to her house.

### McCOMBS OFF TO SEE WILSON.

onfers With President To-day-Has a Few Recommendations.

William F. McCombs, chairman of the Democratic National Committee, said last light that he had an appointment President Wilson in Washington to-day. He expected to leave New York at midnight, but wasn't sure of it. A bad cold said, might delay his going.

McCombs said that he had a few ecommendations as to appointm which he wanted to make, but couldn't discuss them before his talk with the President. As to the selection of a man for the Collectorship of this port

### ANDERSON WAS NOT RECALLED. Taft's Appointee to Japan Has Presented Resignation.

WASHINGTON, March 14 .- The report from Boston that Larz Anderson, ap-pointed Ambassador to Japan in the final ours of the Taft Administration, but not hours of the Tarl Administration, but not confirmed, is on his way home was verified in the State Department here to-day. The rumor that he was found persona non grata by the Mikado was denied.

Surgent leader in the State Senate, also conferred with the New York State men.

The delegation called on Postmaster-sona non grata by the Mikado was denied.

General Burleson, Secretary of the Ambassador Anderson is leaving Japan permission of the State Department





## WORLD QUARANTINE **URGED FOR PANAMA**

Should Have Stations on Canal.

ONE AT EACH OPENING

Proper Maritime Sanitation Will Keep Endemic Diseases Out of Zone.

In a communication to the Lancet of London Dr. Joseph J. O'Connell, Health Clearmount's lofty halls, e'en to the the collectorship does not go to him he Officer of the Port of New York, takes basement, where there dwell moths may be in line for the diplomatic service. up the subject of maritime sanitation and the Panama Canal and suggests that the American Government should estab lish a world quarantine at Panama Whatever may be the confusion and controversy among statesmen and men of commerce with regard to the political President Wilson will probably offer and commercial questions arising from the Assistant Secretaryship of War to Joseph E. Davies of Wisconsin, who nell says, the sanitary question is clear nell says, the sanitary question is clean "There is no port health officer in any

of the cities of the Western civilization who can contemplate without concern the opening of the Panama Canal writes Health Officer O'Connell, "It shortens the distance between the Far Eastern ports and the South American Pacific ports on the one hand and the Atlantic seaboard ports of Europe and America on the other. It will bring us closer by many miles and many days to those communities in which plague and cholera and yellow fever are endemic. From this direction, however we shall not be apprehensive of cholera In future, as in the past, it will make its approaches to us in the shorter stages favored by the geographical conditions of the Old World. Plague, however, because of its peculiar agencles American ports. By the opening of the Panama Canal our Western coast will again be exposed to the danger of in

"Physical conditions at the canal are hours can be utilized for inspection and Dr. Whitney refused to-night to say disinfection and fumigation where He remarked: "You will have with the natural flow of commerce each end of the canal, and fumigating When he and Mr. Kelley finished their | boats should be so stationed as to enable vessels as would require fumigation. At the Colon end of the canal there Mr. Barker this afternoon admitted should be a temporary reception hos-Flamenco and Perico, are admirably "This Eaton affair is serious. When situated for use as sites for detention no pitals. Isolation wards and detention pavilions should be constructed on those islands. The entire quarantine estab lishment should be conducted by the

"The effect of such an establishment would be felt all over the world. By a public health intelligence system port medical officers all over the world could he apprised of sanitary conditions on ships bound for their harbors. In addition to that the certainty of supervision and the possibility of delay would upon the part of vessel owners and steamship agents at ports of departure. A reflex influence would impel to a highly desirable sanitary activity the authorities of western South American cities whose ports are now a source of danger. In every direction the world would feel the sanitary benefit."

### JOBS FOR ANTI-TAMMANY.

Osborne's Delegation Calls on Officials in Washington.

Washington, March 14 .- A delegation from the militant anti-Tammany Democracy organization in New York State. headed by Thomas M. Osborne of Auburn, visited Washington to-day, conferred with several important persons in the new Administration in regard to patronage and left for home to-night well pleased with their visit.

Among others of this wing of the New York Democracy were Charles F. Rattigan, State committeeman from the Auburn district; Col. W. G. Rice of Albany and George F. Peabody. Franklin D. Roosevelt, recent Democratic insurgent leader in the State Senate,

General Burleson, Secretary of the Treasury McAdoo and Senator O'Gor-! having presented his resignation on March 4, and does not expect to return to his ances that they would be recognized in the distribution of Federal patronage.

# B. Altman & Co.

have received an Exclusive Importation of the celebrated Russian Perfumes and Colognes of A. Rallet et Cie., of Moscow, perfumers to the Imperial Court of Russia.

# B. Altman & Co.

will hold the following Special Sales this day (Saturday):

Children's Coats, Boys' and Misses' Gloves, Boys' Suits, Reefers and Blouses, Boys' Furnishings, Men's English Overcoats and Raincoats, and Imported Celluloid Toilet Articles; also Women's Semi-made Plaited Skirts, of veiling.

### Shoe Department

Special attention is directed to Footwear for Misses & Children.

All Shoes, Oxfords and Pumps for the younger set are made on approved lasts, constructed especially to meet the requirements of juvenile feet, and the individual attention of expert fitters is made a special feature of the department service.

Fifth Avenue, 34th and 35th Streets, New York.

## BRONX REJOICES AT **BECOMING A COUNTY**

Bells Ring Out and Citizens Association, which had a special gather Keep Open House-Plan Celebration.

Vote Brings Death to Mc-Kenna, a Murderer.

The Court of Appeals yesterday declared the law creating Bronx county said he. "We must bow to that." valid. Thus a fifth county is added to factor in the forthcoming municipal New York city, with its separate offi- campaign. Although it is a Democratic cials, political organizations and county county normally the indications are

tickets. The decision yesterday came as an incident to the appeal of Joseph J. Mc-Kenna, convicted of murder in the first in his favor and on the point of voting degree for a crime committed in the territory embraced by Bronx county now. McKenna's counsel contended that his trial in Manhattan was illegal. The court declares that he was rightfully convicted and affirms the verdict of death, saying that the Manhattan courts will continue to administer the law for the baby county until its own courts go into operation on January 1, 1914.

The contention was that the referendum in the Stilwell bill which confined the voting on the Bronx county question to the Bronx territory was uncon-stitutional. The Appellate Division held ber, however, she will elect county versed. Judge Hiscock, writing the majority opinion, holds that the Legislature has the power to pass a law creating a county and then to "leave it to the people of the territory involved to deelde whether they want to take advantage of the law." The decision was DINNER TO HORATIO J. BREWER.

made on a four to three vote. Word that The Bronx is a county made a gala day in the section yesterday. Fifty associations of citizens, who commanded about 60,000 of the 80,000 registered votes of the district, immediately declared open house and started night to Horatio J. Brewer in the grand

celebrating. casinos some time in the future to pay tribute to the men who have devoted their time, energies and money to the their time, energies and money to the

new county. man. It is said they received assur- the bill, who came down from Albany, Senator Stephen J. Stilwell, father of was met by a triumphal procession.

"It has been a bitter one, but I was sure that in face of the overwhelming sentiment for home rule in The Brons that we would win out sooner or late: It is a victory for the people, not for any man or set of men.

Henry K. Davis, chairman of the committee of one hundred of the Bar ing at its clubhouse, said: "It is specially gratifying. The Bar Association was convinced all along that the acwas constitutional."

Olin J. Stephens, who worked va iantly for the new county, said: "Fine POLITICAL FACTOR NOW It is what we wanted and what we determined to get. It may cost a little more, but the advantage of doing bus Decision Affirming Popular ness in our own neighborhood will more than compensate.'

Borough President Cyrus C. Miller fought the movement, but he was resigned last night.

'The people voted for the county and the courts decided they were right

The new county will become a great that it will not be controlled by Tam-many Hall. The leader beyond all question will be Eugene J. McGuire. who had two-thirds of the convention when the Appellate Division decided against the county. Mr. McGuire will now go in. He resigned as a under Charles F. Murphy several years

ago for purely personal reasons. The creation of The Bronx will take away Manhattan's majority in a city convention. A combination of Kings Richmond, Queens and The Bronx will outvote Manhattan, although there is no particular indication that there will

be any fight this year. The Bronx will run along under Mat officials, Judge, District Attorney, Sur rogate, Register, county clerk, coroners and other officers, who will step into office on the first of the year.

Mendelssohn Glee Club Honors One of Its Oldest Members.

sohn Glee Club tendered a dinner las Celebrating.

They began making arrangements for a big celebration at one of the largest 1834-27, and 1912-13. He has been a mem-

Four hundred members of the Mende

Croxton and Reed Miller. Allan Robins was toastmaster.

Mr. Brewer was presented with a silve loving cup in commemoration of his ser "I'm glad the fight is over," he said. vices to the club.